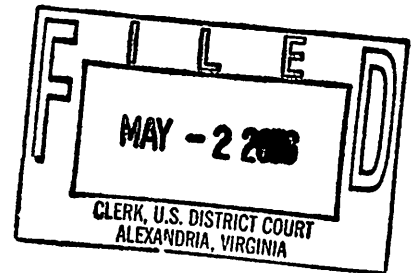


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



RACHANA CHEA
7721 Killebrew Dr.
Annandale, Virginia 22003

Plaintiff,

v.

COLLECTO, INC.
d/b/a EOS-CCA
d/b/a Collection Company of America
700 Longwater Drive
Norwell, MA 02061

Defendant.

Civil Action No. 1:16-cv-498
AJT/AFH

COMPLAINT AND DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff Rachana Chea, an individual consumer, against Defendant, Collecto, Inc. d/b/a EOS-CCA d/b/a Collection Company of America for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1337. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and 2202. Venue in this District is

proper pursuant to 28 U.S.C. § 1391(b)(1) and (2) because the acts and transactions occurred here, the Plaintiff resides here, and the Defendant transacts business here.

III. PARTIES

3. Plaintiff, Rachana Chea, is a natural person residing in Annandale, Virginia.

4. Defendant, Collecto, Inc. (“Defendant”), is engaged in the business of collecting debt in this state with its principal place of business located at 700 Longwater Drive, Norwell, MA 02061. The principal purpose of Defendant is the collection of debts and Defendant regularly attempts to collect debts in this state alleged to be due another.

5. Defendant regularly does business as, or uses the trade name, “EOS-CCA.”

6. Defendant regularly does business as, or uses the trade name, “Collection Company of America.”

7. Defendant is engaged in the collection of debts from consumers using the mail and telephone. Defendant regularly attempt to collect consumer debts alleged to be due to another. Defendant is “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

IV. FACTUAL ALLEGATIONS

8. On or about April 4, 2016, the Defendant called and spoke to the Plaintiff’s Mother’s fiancé, Mr. Lien Cao.

9. The Defendant called Mr. Cao about a debt owed by the Plaintiff to Verizon.

10. During that phone call, the Defendant learned the identity of Mr. Cao and Mr. Cao’s relationship to the Plaintiff.

11. The Plaintiff has not given the Defendant permission to speak with any third party.

12. The Defendant has not received the express permission of a court of competent jurisdiction to communicate with a third party about the debt owed by the Plaintiff to a third party.

13. Despite not having received permission from the Plaintiff or a court of competent jurisdiction, the Defendant then notified Mr. Cao that the Plaintiff owed approximately \$1,000.00 to Verizon and that the Plaintiff was attempting to collect that debt that the Plaintiff owed to Verizon.

14. Immediately after the phone call, Mr. Cao contacted the Plaintiff's mother, who then contacted the Plaintiff to yell at him about his financial responsibility, causing the Plaintiff significant embarrassment within his family and has continue to cause discord within the Plaintiff's family.

15. As a result of the acts alleged above, Plaintiff suffered headaches, panic attacks, embarrassment, anxiety, and sleepless nights.

V. CLAIM FOR RELIEF

16. Plaintiff repeats and realleges and incorporates by reference to the foregoing paragraphs.

17. Defendants violated the FDCPA. Defendants' violations include, but are not limited to, the following:

(a) not providing consumer with written notice of the debt within 5 days of initial contact with consumer; and

(b) improperly communicating with a third party in connection with collection of a debt;

18. As a result of the foregoing violations of the FDCPA, Defendants are liable to the plaintiff, Rachana Chea, for declaratory judgment that defendants' conduct violated the FDCPA, actual damages, statutory damages, and costs and attorney fees.

WHEREFORE, Plaintiff, Rachana Chea, respectfully requests that judgment be entered against Defendant, Collecto, Inc., for the following:

- A. Declaratory judgment that Defendants' conduct violated the FDCPA;
- B. Actual damages of fifty thousand dollars (\$50,000.00) pursuant to 15 U.S.C. § 1692k;
- C. Statutory damages in the amount of One Thousand Dollars (\$1,000.00) pursuant to 15 U.S.C. § 1692k;
- D. Costs and reasonable attorney fees pursuant to 15 U.S.C. §§ 1692k; and
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,



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Attorney for Plaintiff

Dated: April 26, 2016

DEMAND FOR JURY TRIAL

Please take notice that Plaintiff Rachana Chea demands trial by jury in this action.



Attorney for Plaintiff